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8/05/11 9:52:09  
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W.E. DAVIS, CH CLERK

Prepared by: Elaine Taylor First-Citizens Bank PO Box 26592 Raleigh NC 27611-6592

PH # NA

Return to: First-Citizens Bank & Trust Company PO Box 26592-DAC18 Raleigh NC 27611-6592

Lexington Partners

**RELEASE OF DEED OF TRUST  
(MISSISSIPPI)**

(Reference No. 9750587 (982))

**Background and Explanatory Note:**

1. Great American Bank was chartered as a commercial bank under the laws of California in 1979. In 1987, it changed its name to "First Regional Bank."
2. On January 29, 2010, the California Department of Financial Institutions closed First Regional Bank and appointed the Federal Deposit Insurance Corporation as receiver. Immediately thereafter, First-Citizens Bank & Trust Company, a North Carolina-chartered commercial bank, acquired most of the assets and assumed most of the liabilities of First Regional Bank pursuant to a "Purchase and Assumption Agreement" between First-Citizens Bank & Trust Company, the Federal Deposit Insurance Corporation in its corporate capacity, and the Federal Deposit Insurance Corporation in its capacity as Receiver for First Regional Bank. The assets purchased by First-Citizens Bank & Trust Company include the loan secured by the Deed of Trust identified in this Release of Deed of Trust.

As used in this Release of Deed of Trust, the term "Deed of Trust" refers to the following deed of trust:

Date of Deed of Trust: **5-9-08**

Original Grantor: **5322 Lexington Partners LLC**

Original Trustee: **Debra Pace Branan**

S:TEMPLATELENDING/CANCELRELEASEFRB-43.30/MS

Original Secured Party: **First Regional Bank**

**Recording Data:** The deed of trust is recorded in Book **2906** at Page **89** in the Chancery Clerk's Office of DeSoto County, Mississippi.

**Recording Data:** The Assignment of Rents is recorded in Book **126** at Page **501** in the Chancery Clerk's Office of DeSoto County, Mississippi.

First-Citizens Bank & Trust Company ("First Citizens") warrants and represents that (i) it is the present beneficiary under the Deed of Trust and the owner and holder of the note or notes secured by the Deed of Trust, and (ii) it has the lawful right to release property from the lien of the Deed of Trust.

First Citizens hereby releases and discharges the lien of the Deed of Trust and reconveys to the person or persons legally entitled thereto, without covenant or warranty, express or implied, all right, title, interest and estate First Citizens now holds in and to the property described therein under and by virtue of the Deed of Trust.

IN WITNESS WHEREOF, First Citizens has caused this Release of Deed of Trust to be signed in its name by a person or persons duly authorized

Date: 7-29-11

FIRST-CITIZENS BANK & TRUST COMPANY

By: Carolyn L Parker  
Carolyn L Parker, Vice President

STATE OF North Carolina

COUNTY OF Wake

Personally appeared before me, the undersigned authority in and for the said county and state, on this 29 day of July, 2011, within my jurisdiction, the within named Carolyn L Parker, who acknowledged that (he)(she) is Vice-President of First-Citizens Bank & Trust Company, a North Carolina corporation, and that for and on behalf of the said corporation, and as its act and deed (he)(she) executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

Corenthia L Stanley (NOTARY PUBLIC)

My commission expires:

6-16-2016

